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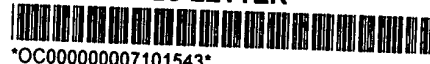
APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/910,345	07/20/2001	H. Michael Shepard	23896-201700

Antoinette F. Konski
McCutchen, Doyle, Brown & Enersen, LLP
18th Floor
Three Embarcadero Center
San Francisco, CA 94111



CONFIRMATION NO. 4437

FORMALITIES LETTER



OC00000007101543

COPY OF PAPERS
ORIGINALLY FILED Date Mailed: 11/20/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216

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JADD01
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FC:205
65.00 CH

FEE TRANSMITTAL FOR FY 2002 COPY OF PAPERS ORIGINALLY FILED Patent fees are subject to annual revision.		Complete if Known	
		Application Number	09/910,345
TOTAL AMOUNT OF PAYMENT (\$) 65.00		Filing Date	July 20, 2001
		First Named Inventor	H. Michael Shepard
		Examiner Name	Unassigned
		Group Art Unit	Unassigned
		Attorney Docket No.	NB 2017.00

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 50-1189

Deposit Account Name: McCutchen Doyle Brown & Enersen LLP

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION				
1. BASIC FILING FEE				
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
101	740	201	370	Utility filing fee
106	330	206	165	Design filing fee
107	510	207	255	Plant filing fee
108	740	208	370	Reissue filing fee
114	160	214	80	Provisional filing fee

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES				
Total Claims	Extra Claims	Fee from below	Fee Paid	
Independent Claims	- 20** =	x	= \$	
Multiple Dependent Claims	- 3** =	x	= \$	

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claims, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

** or number previously paid, if greater; For reissues, see above.

FEE CALCULATION (continued)					
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	65.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	330	219	160	Notice of Appeal	
120	330	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions of the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per properties (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$65.00)

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Antonietta E. Kowski	Registration No. (Attorney/Agent)	34,202
Signature	<i>Antonietta E. Kowski</i>	Telephone	(650) 849-4950
		Date	1/18/02

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.


Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231

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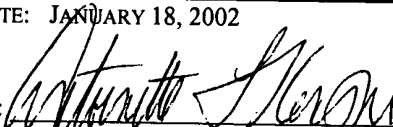
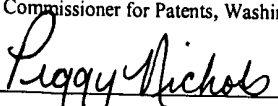
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

 TRANSMITTAL FORM (to be used for all correspondence after filing) Total number of Pages in this submission XX 10	Application Number	09/910,345
	Filing Date	July 20, 2001
	First Named Inventor	H. Michael Shepard
	Group Art Unit	Unassigned
	Examiner Name	Unassigned
	Attorney Docket No.	NB 2017.00

~~XXXXXXXXXX~~ Box MISSING PARTS
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ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> FEE TRANSMITTAL FORM <input type="checkbox"/> FEE ATTACHED <input type="checkbox"/> AMENDMENT/RESPONSE <input type="checkbox"/> AFTER FINAL <input type="checkbox"/> AFFIDAVITS' DECLARATION(S) <input type="checkbox"/> EXTENSION OF TIME <input type="checkbox"/> EXPRESS ABANDONMENT REQUEST <input type="checkbox"/> INFORMATION DISCLOSURE STATEMENT W/1449 <input type="checkbox"/> CERTIFIED COPY OF PRIORITY DOCUMENT(S) <input checked="" type="checkbox"/> RESPONSE TO MISSING PARTS/ INCOMPLETE APPLICATION <input type="checkbox"/> RESPONSE TO MISSING PARTS UNDER 37 CFR 1.52 OR 1.53 COPY OF PTO-1533 <input type="checkbox"/> ISSUE FEE TRANSMITTAL <input type="checkbox"/>	<input checked="" type="checkbox"/> ASSIGNMENT PAPERS (FOR AN APPLICATION) <input type="checkbox"/> DRAWING(S) <input type="checkbox"/> LICENSING-RELATED PAPERS <input type="checkbox"/> PETITION ROUTING SLIP (PTO/SB/60) AND ACCOMPANYING PETITION) <input type="checkbox"/> TO CONVERT A PROVISIONAL APPLICATION <input type="checkbox"/> POWER OF ATTORNEY, REVOCATION CHANGE OF CORRESPONDENCE ADDRESS <input type="checkbox"/> TERMINAL DISCLAIMER <input checked="" type="checkbox"/> SMALL ENTITY STATEMENT <input type="checkbox"/> REQUEST FOR REFUND	<input type="checkbox"/> AFTER ALLOWANCE COMMUNICATION TO GROUP <input type="checkbox"/> APPEAL COMMUNICATION TO BOARD OF APPEALS AND INTERFERENCES <input type="checkbox"/> APPEAL COMMUNICATION TO GROUP (APPEAL NOTICE, BRIEF, REPLY BRIEF) <input type="checkbox"/> PROPRIETARY INFORMATION <input type="checkbox"/> STATUS LETTER <input checked="" type="checkbox"/> ADDITIONAL ENCLOSURE(S) (PLEASE IDENTIFY BELOW): SUBMISSION OF MISSING PARTS OF APPLICATION UNDER 37 C.F.R. 1.53, DECLARATION AND POWER OF ATTORNEY, COPY OF NOTICE OF MISSING PARTS AND RETURN POSTCARD
REMARKS:		
McCUTCHEN, DOYLE, BROWN & ENERSEN LLP THREE EMBARCADERO CENTER, SUITE 1800 SAN FRANCISCO, CA 94111 TELEPHONE: (650) 849-4050 FACSIMILE: (650) 849-4800		
DATE: JANUARY 18, 2002 BY:  ANTOINETTE F. KONSKI (REG. NO. 34,202)		
CERTIFICATE OF MAILING BY "FIRST CLASS MAIL" I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231 on this date: <u>JANUARY 18, 2002</u> By:  Name of person signing: Peggy Nichols		

Certificate of Mailing/Transmission (37 C.F.R. § 1.8(a)):

[✓] Pursuant to 37 C.F.R. § 1.8, I hereby certify that this paper and all enclosures are being deposited with the United States Postal Service as first class mail on the date indicated below in an envelope addressed to Box: Missing Parts, Commissioner for Patents, Washington D.C. 20231.

[] Pursuant to 37 C.F.R. § 1.6(d), I hereby certify that this paper and all enclosures are being sent via facsimile on the date indicated below to the attention of Examiner _____ at Facsimile No. _____ at _____ a.m./p.m.

Dated: January 18, 2002

Name of Person Certifying: Peggy Nichols

Printed Name: Peggy Nichols



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COPY OF PAPERS
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Applicant: H. Michael Shepard, et al.

Filing Date: July 20, 2001

Serial No.: 09/910,345

Title: METHODS FOR IDENTIFYING THERAPEUTIC
TARGETS FOR TREATING INFECTIOUS DISEASE

Examiner: Unassigned

Group Art Unit: Unassigned

BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

Submission of Missing Parts of Application Under 37 C.F.R. 1.53

Sir:

In response to the Notice of Missing Parts of Application mailed on November 20, 2001, enclosed are the following items for filing in the above-referenced U.S. Patent Application:

- ☒ Declaration and Power of Attorney [4] page(s)
Payment for surcharge for late filing ☒ \$65.00 *small entity* ☐ \$130.00 *large entity*
- ☐ A Petition for Extension of Time. (three- months), [2] page(s) Fee \$
- ☐ Applicant(s) claim Small Entity Status under 37 CFR § 1.27.
- ☒ Copy of Notice of Missing Parts of Application dated November 20, 2001.
- ☐ Request for Refund under 37 CFR 1.28(a) for the overpayment of the filing fee and surcharge.
- ☒ Return Postcard.
- ☐ Other:

TOTAL FEES: \$65.00

☐ Conditional Petition for Extension of Time: An extension of time is requested to provide for timely filing if an extension of time is still required after all papers filed with this communication have been considered.

☐ Check in the amount of \$ _____, Check No. _____ to cover the Total Fees due is enclosed.

☒ Please charge the above fee(s) to Deposit Account No. 50-1189, Docket No. 23896-7101, in the amount of \$65.00 to cover the above fees. *A duplicate copy of this sheet is attached.*

☒ The Commissioner is hereby authorized to charge payment of any additional fees due or credit any overpayment to Deposit Account No. 50-1189, Docket No. 23896-7101. *A duplicate copy of this sheet is enclosed.*

Having now complied with all of the requirements of 37 C.F.R. 1.53, applicant respectfully requests that this application be placed upon the files for examination.

Date:

January 18, 2002

Respectfully submitted,

By: Antoinette F. Konski
Antoinette F. Konski
Registration No. 34,202

McCutchen, Doyle, Brown & Enersen, LLP
Three Embarcadero Center, Suite 1800
San Francisco, California 94111
Telephone: (650) 849-4950
Telefax: (650) 849-4800

☐ Conditional Petition for Extension of Time: An extension of time is requested to provide for timely filing if an extension of time is still required after all papers filed with this communication have been considered.

☐ Check in the amount of \$ _____, Check No. _____ to cover the Total Fees due is enclosed.

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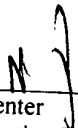
Antoinette F. Konski
Antoinette F. Konski
Registration No. 34,202

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*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE